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МЕЖДУНАРОДНАЯ АМНИСТИЯ
منظمة العفو الدولية
國際特赦組織

URGENT ACTION

EXTERNAL **AI Index: ASA 21/75/96**

UA 262/96 **Fear of torture / Health concern / Legal concern** **13 November 1996**

EAST TIMOR **Azito Freitas, aged 19, student**

Reports that Azito Freitas has had his arm broken in police custody have heightened concern that he may face further torture or ill-treatment as his interrogation continues. His situation is worsened by the fact that he is being denied access to independent lawyers. It is not known whether he has been granted access to his family or to medical treatment.

Azito Freitas was reportedly arrested on 28 October 1996 in the East Timorese town of Baucau as he was on his way to hear a mass celebrated by the 1996 Nobel peace prize laureate, East Timorese Bishop Belo. He was taken into custody by military officers, thought to be from Indonesia's Special Forces Command (Kopassus), even though, under Indonesia's Code of Criminal Procedures, it is the police and not the military who have the authority to carry out arrests.

The 19-year-old's arrest is believed to be related to the killing on 24 October in Baucau of Commander Juliao Fraga, an East Timorese military commander in the Indonesian Armed Forces. An unknown number of other individuals are also believed to have been detained in connection with the killing.

Azito Freitas is being held in police custody in Baucau. Reports allege that he is under pressure during interrogation to provide information about those responsible for killing the commander. He was originally denied access to any legal representation, but is now said to have been provided with a government-appointed lawyer. Amnesty International is concerned that he is still being denied the opportunity to seek legal counsel of his own choice. A government-appointed lawyer will be less likely to challenge procedural violations during interrogation, limiting the detainee's protection from further torture and ill-treatment.

BACKGROUND INFORMATION

East Timorese taken into military and police custody continue to be at risk of torture and ill-treatment, particularly during interrogation. Detainees are denied access to legal counsel and their families which increases this risk. Safeguards against the use of torture and other violations of detainees' rights, provided for under Indonesia's Code of Criminal Procedures are often ignored by the military and police.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or Bahasa Indonesia or your own language:
- calling for the authorities to provide Azito Freitas with access to legal counsel of his own choice, medical treatment and access to his family and the International Committee of the Red Cross;
- expressing concern at reports that he has been ill-treated in police custody and calling on the authorities to ensure that he is not being subjected to torture and ill-treatment;
- calling on the authorities to clarify the charges against Azito Freitas and to release him if he is being held for his peaceful activities.

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APPEALS TO:

MILITARY COMMANDER REGION IX/UDAYANA
(covers Bali, Lombok, Nusa Tenggara and East Timor)
Maj Gen Rivai
Pangdam IX/Udayana
Markas Besar KODAM IX/Udayana
Denpasar, Bali, Indonesia
Telegrams: Pangdam IX, Udayana, Denpasar, Bali, Indonesia
Salutation: Dear Major General Rivai

CHIEF OF POLICE FOR EAST TIMOR
Colonel Yusuf Muharram
Kapolda Timor Timor
Dili, East Timor
Indonesia
Telegrams: Kapolda, Dili, East Timor
Salutation: Dear Colonel

COPIES TO:

MINISTER OF FOREIGN AFFAIRS
Ali Alatas S.H.
Menteri Luar Negeri
Jl. Medan Taman Pejambon No.6
Jakarta
Fax: +62 21360 517/380 5511/345 7782/360 541/724 5354

and to diplomatic representatives of East Timor accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 December 1996.